

# **EXHIBIT 12**

## **(part 5)**



Attorney Docket No. 7016R-000015/CPB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

MAR 15 2001

OFFICE OF PETITIONS

AMENDMENT TO  
CORRECT NAMING  
OF INVENTORS  
PURSUANT TO  
37 C.F.R. § 1.48(a)

Group Art Unit: 3671  
Examiner: To Be Assigned  
Serial No.: 095643.697  
Inventor(s): Richard D. Bodnar, et al.  
Filed: August 22, 2000  
For: Gang-Type Rotary Lawn Mower  
Attorney Docket: 7016R-000015/CPB

Hon. Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

Sir:

1. Applicant hereby requests to correct the inventorship in the Declaration as set forth and filed on August 22, 2000, which originally incorrectly named the inventor(s).

Please add the following previously unnamed person as inventor on this application:

Randall S. Knurr  
403 North Water Street  
Waterford, WI 53185  
Citizenship: U.S.A.

37 C.F.R. § 1.48(a)(1).

2. Attached in support of this Amendment is:

(a) A statement from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(2).

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-of 01/02 US, 00 00

Serial No. 095643.697  
Attorney Docket No. 7016R-000015/CPB

(b) A declaration by the actual inventor (s) as required by § 1.63 or as permitted by §§ 1.42, 1.43 or § 1.47. 37 C.F.R. § 1.48(a)(3).

(c) A check for \$130.00 is enclosed for the processing fee set forth in § 1.17(f). 37 C.F.R. § 1.48(a)(4).

(d) Written consent of the assignee (including executed Establishment of Assignee's Right to Prosecute Application and Power of Attorney document). 37 C.F.R. § 1.48(a)(5).

Please charge any additional fees or credit any over payment pursuant to 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 08-0750.

Respectfully submitted,

Dated: 3/5/01  
By: David P. Urykanski, Reg. No. 39,052  
Attorney for Applicants

HAINES, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 841-1600  
DPU/Kde



Attorney Docket No. 7016R-000015/CPB  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Group Art Unit: 3571  
Examiner: To Be Assigned  
Serial No.: 09643,697  
Inventor(s): Richard D. Bednar, et al.  
Filed: August 22, 2000  
For: Gang-Type Rotary Lawn Mower  
Attorney Docket: 7016R-000015/CPB

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

This statement is to verify that the error in inventorship which occurred in the above-identified application was without deceptive intention on my part.

Date: 2-26-01

By: Randal S. Knurr  
Randal S. Knurr, Added Inventor



Attorney Docket No. 7016R-000015/CPB  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

Group Art Unit: 3571  
Examiner: To Be Assigned  
Serial No.: 09643,697  
Inventor(s): Richard D. Bednar, et al.  
Filed: August 22, 2000  
For: Gang-Type Rotary Lawn Mower  
Attorney Docket: 7016R-000015/CPB

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Under 37 C.F.R. § 3.73 (b), the undersigned hereby establishes the below-named Assignee's ownership in the above-identified Application.

Assignee: Textron, Inc.  
40 Westminster Street  
Providence, Rhode Island 02903

The documentary evidence of a chain of title from the original owner to the Assignee is provided in the Assignment Documents:

X filed herewith.  
X Previously filed.  
Reel No. 011253, Frame No. 0704.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements, and the

Serial No. 09843,697  
Attorney Docket No. 7016R-000015/CPB

like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Assignee furthermore hereby appoints David P. Utykanski, Reg. No. 39,052, and each other principle, attorney of counsel, associate and employee of Harness, Dickey & Pierce, P.L.C., who is a registered Patent Attorney, as attorney of record, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. I request the Patent and Trademark Office to direct all correspondence and telephone calls relative to this application to Harness, Dickey & Pierce, P.L.C., P.O. Box 828, Bloomfield Hills, Michigan 48303 (telephone 248-641-1500).

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

By: [Signature]  
Name: David P. Utykanski  
Title: P. Patent Examiner  
Date: 2-15-01  
Assignee: Textron, Inc.

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Attorney Docket No. 7016R-000015/CPB  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED

MAR 15 2001

OFFICE OF PETITIONS

Group Art Unit: 3671  
Examiner: To Be Assigned  
Serial No.: 09843,697  
Inventor(s): Richard D. Berner, et al.  
Filed: August 22, 2000  
For: Gang-Type Rotary Lawn Mower  
Attorney Docket: 7016R-000015/CPB

ASSENT OF  
ASSIGNEE TO  
ADDITION OF  
INVENTORS

Hon. Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:

Assignee:

Textron, Inc.  
40 Westminster Street  
Providence, Rhode Island 02903

Assignee hereby assents to the correction of inventorship filed herewith. Documentary evidence of a chain of title from the original owner to the assignee is recorded in the Assignment records of the office on reel 011263, frame 0704.

A statement under 37 C.F.R. § 3.73 (b) is attached.

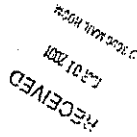




IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/0643,697  
 Filing Date: August 22, 2000  
 Applicant: Richard D. Bednar, et al.  
 Group Art Unit: 3671  
 Examiner: To be assigned  
 Title: Gang-Type Rotary Lawn Mower  
 Attorney Docket: 7016E-000015C2D

PRELIMINARY  
 AMENDMENT



Hon. Commissioner of Patents and Trademarks  
 Washington, D.C. 20231

Sir:

Applicants respectfully request a change in the TITLE of the invention. Please amend the above-identified application specification as follows. Applicants include herewith an Attachment for Specification Amendments showing amendments in which underlines indicate insertions and brackets indicate deletions.

IN THE SPECIFICATION

Please amend the TITLE of the invention as follows:

GANG-TYPE ROTARY LAWN MOWER WITH MULTIPLE REAR ROLLERS

CONCLUSION

Prompt and favorable consideration of this amendment is respectfully requested. Please charge any fees or credit any overpayment pursuant to 37 CFR § 1.16 or § 1.17 to Deposit Account No. 09-0750.

Respectfully submitted,

By: *David P. Ulykapski*  
 David P. Ulykapski, Reg. No. 39,062  
 Attorney for Applicants

Dated: Feb. 22, 2001  
 HARNESSE, DIOKEY & PIERCE, P.L.C.  
 P.O. Box 828  
 Bloomfield Hills, Michigan 48303  
 (248) 641-1600  
 DPU/MD

Serial No. 09/043,697

Page 2

|   |  |                               |                                |                                |
|---|--|-------------------------------|--------------------------------|--------------------------------|
| <b>Notice of Allowability</b>   |  | Application No.<br>09/043,697 | Applicant<br>Robert E. Perullo | Officer or<br>ART Unit<br>3071 |
| <p><i>—The MAILING DATE of this communication appears on the cover sheet with the correspondence address—</i></p> <p>All claims being allowable, PROSECUTION ON THE MERITS IS NOW REMAINING CLOSED in this application. If not included herewith for previously mailed, a Notice of Allowance and Issue Fee. Due to other appropriate communication will be mailed in due course. The applicant is advised that the communication is being mailed to the address last shown in the file. If the communication is to be mailed to a different address, please advise the Office as soon as possible by the applicant. See 37 CFR 1.313 and MPEP 1308.</p>  |  |                               |                                |                                |
| <p>1. <input checked="" type="checkbox"/> This communication is responsive to the <u>supervisor's</u> <u>first</u> <u>August 22, 2000</u> <u>Office action</u>.</p> <p>2. <input checked="" type="checkbox"/> The allowed claim(s) is/are <u>1-27</u>.</p> <p>3. <input checked="" type="checkbox"/> The drawings filed on <u>August 22, 2000</u> are acceptable as formal drawings.</p> <p>4. <input checked="" type="checkbox"/> Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).</p> <p>5. <input type="checkbox"/> All <input type="checkbox"/> Some <input type="checkbox"/> None of the:</p> <p>1. <input type="checkbox"/> Certified copies of the priority documents have been received.</p> <p>2. <input type="checkbox"/> Certified copies of the priority documents have been received in Application No. _____.</p> <p>3. <input type="checkbox"/> Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(b)).</p> <p>*Certified copies not received:</p> <p>5. <input type="checkbox"/> Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(c).</p> <p>Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements set forth herein. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE MONTH PERIOD IS NOT EXTENDABLE FOR SUBSTITUTION OF PRIOR ART. ANY REQUEST FOR EXTENSION OF TIME MUST BE FILED WITHIN THE THREE MONTH PERIOD FOR COMPLIANCE WITH THE REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL IS NOT APPLICABLE. 37 CFR 1.130(a).</p> <p>6. <input type="checkbox"/> Has the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reasons why the oral or declaration is deficient. A SUBSTITUTE OATH ON DECLARATION IS REQUIRED.</p> <p>7. <input type="checkbox"/> Applicant MUST submit NEW FORMAL DRAWINGS</p> <p>8. <input type="checkbox"/> Including changes required by the Notice of Disposition's Patent Drawing Review (PTO-948) attached</p> <p>9. <input type="checkbox"/> hereto or 211 to Paper No. _____</p> <p>10. <input type="checkbox"/> Including changes required by the proposed drawing correction filed _____, which has been approved by the examiner.</p> <p>11. <input type="checkbox"/> Including changes required by the attached Examiner's Amendment/Comment or in the Office action of Paper No. _____</p> <p>Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Designation.</p> <p>12. <input type="checkbox"/> Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.</p> <p>Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE) SERIAL NUMBER. If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.</p> |  |                               |                                |                                |
| <p>Attachments:</p> <p>1. <input type="checkbox"/> Notice of References Cited (PTO 892)</p> <p>2. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>3. <input type="checkbox"/> Notice of Disposition's Patent Drawing Review (PTO-948)</p> <p>4. <input type="checkbox"/> Interview Summary (PTO-413, Paper No. _____)</p> <p>5. <input type="checkbox"/> Information Disclosure Statement (PDS-1449, Paper No. _____)</p> <p>6. <input type="checkbox"/> Examiner's Amendment/Comment</p> <p>7. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material</p> <p>8. <input type="checkbox"/> Other</p>   |  |                               |                                |                                |
| <p>U.S. Patent and Trademark Office<br/>         PTO-37 (Rev. 01/01)</p>  |  |                               |                                |                                |

ATTACHMENT FOR SPECIFICATION AMENDMENTS  
 U.S. Serial No. 09/043,697, Filed August 22, 2000  
 Attorney Docket No. 7018R-000015/CPB

(underlines indicate insertions and brackets indicate deletions)

The TITLE of the invention has been amended as follows:

GANG-TYPE ROTARY LAWN MOWER WITH MULTIPLE BEAR ROLLERS

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office



**NOTICE OF ALLOWANCE AND ISSUE FEE DUE**

PM92/0926

HARNESSEY DICKKEY & PIERCE PLC  
PO BOX 828  
BLOOMFIELD HILLS MI 48303

| APPLICATION NO.  | FILED DATE | TOTAL CLAIMS | EXAMINER AND GROUP ASSIGNMENT | DATE MAILED |
|--|------------|--------------|-------------------------------|-------------|
| 09/643,697   | 08/22/00   | 027          | PEZZUTO, R                    | 09/28/01    |
| Inventor:<br>Applicant:  |            |              |                               |             |
|  |            |              |                               |             |
| TITLE: GANG-TYPE ROTARY LAMIN MOVER WITH MULTIPLE REAR ROLLERS |            |              |                               |             |
| INVENTOR: BENJAMIN   |            |              |                               |             |
| 315 USC 154(b) term ext. = 0 Days.                             |            |              |                               |             |

| ATTY'S DOCKET NO. | CLASS. BING. NO. | INVENTOR    | APPL. TYPE | SMALL ENTITY | FEE TYPE | DATE DUE           |
|-------------------|------------------|-------------|------------|--------------|----------|--------------------|
| 2                 | 7016R-000015     | 056-006,000 | MT4        | UTILITY      | NO       | \$1240.00 12/29/01 |

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED.

THE ISSUE FEE MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE ON THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED.

**HOW TO RESPOND TO THIS NOTICE:**

I. Review the SMALL ENTITY status shown above. If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status.

If the SMALL ENTITY is shown as NO:

- If the status is changed, pay twice the amount of the FEE DUE shown above and notify the Patent and Trademark Office of the change in status, or
- If the status is the same, pay the FEE DUE shown above.

A. Pay FEE DUE shown above, or

B. File verified statement of Small Entity Status below, or with payment of 1/2 the FEE DUE shown above.

II. Part B-Issue Fee Transmittal should be completed and returned to the Patent and Trademark Office (PTO) with your ISSUE FEE. Even if the ISSUE FEE has already been paid, please check to deposit account, Part B-Issue Fee Transmittal should be completed and returned. If you are changing the ISSUE FEE to your deposit account, section 4b of Part B-Issue Fee Transmittal should be completed and an extra copy of the form should be submitted.

III. All communications regarding this application must give application number and batch number.

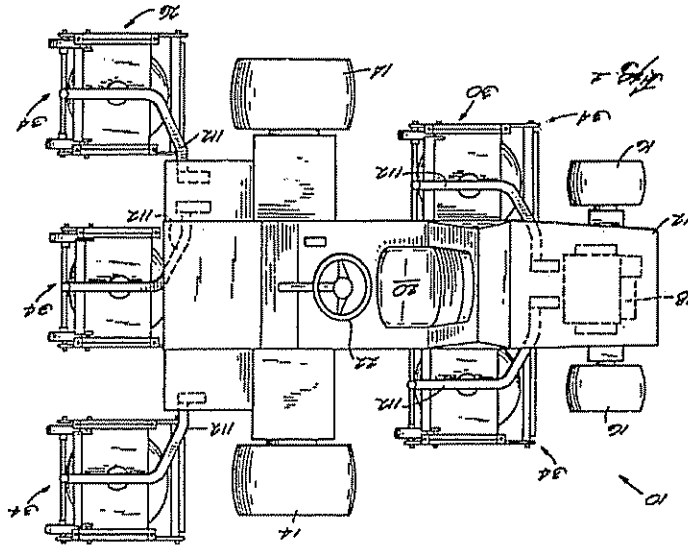
Please direct all communications prior to issuance to Box ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER:** Utility patents lasting on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

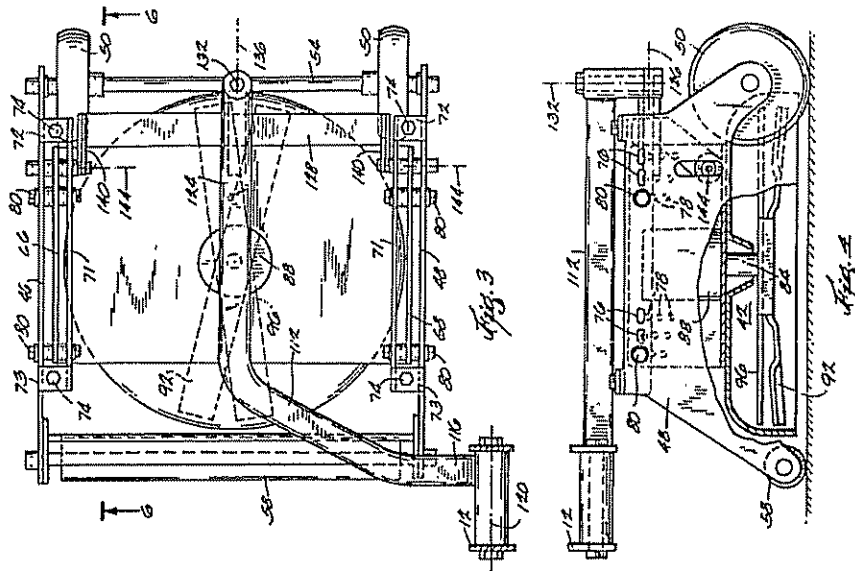
PATENT AND TRADEMARK OFFICE COPY

PTOL-45 (REV. 10-90) Approved for use from 05-2004 (2-11) (2-03)

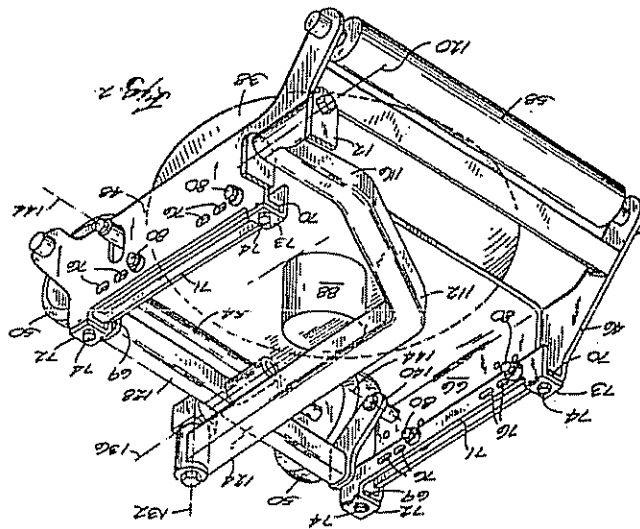
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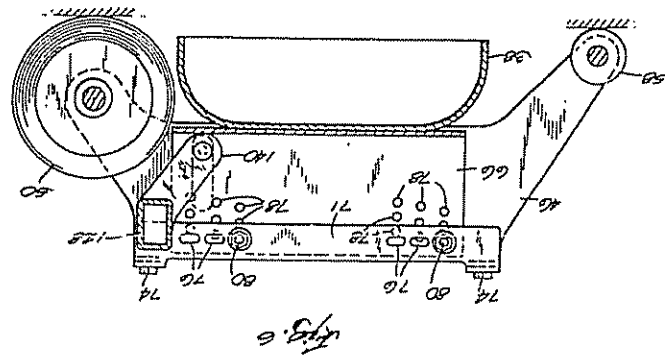
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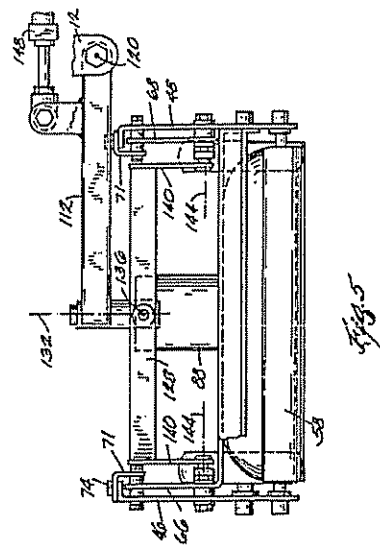
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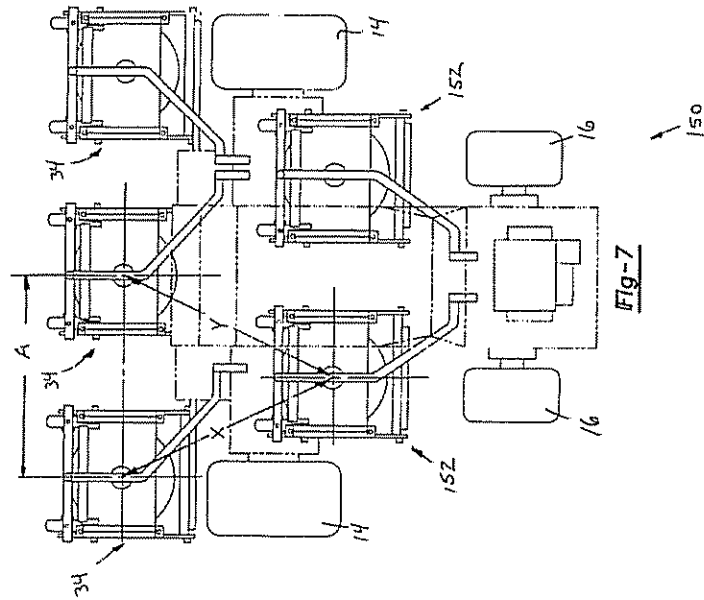
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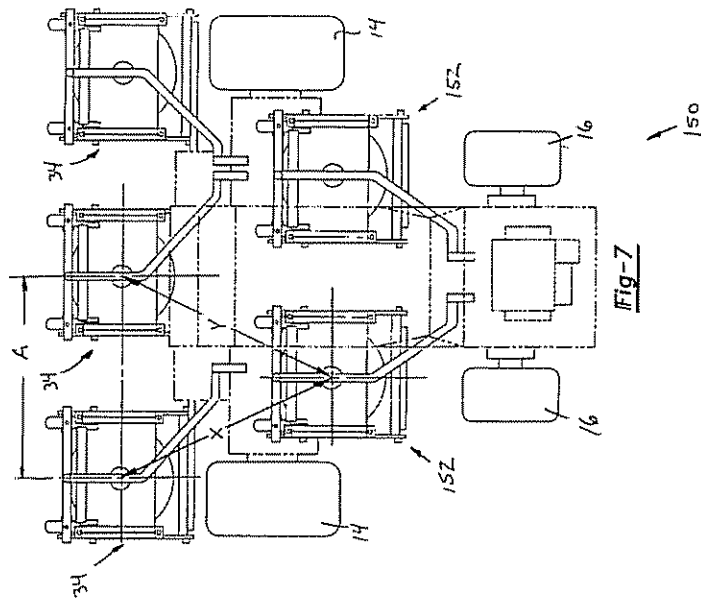
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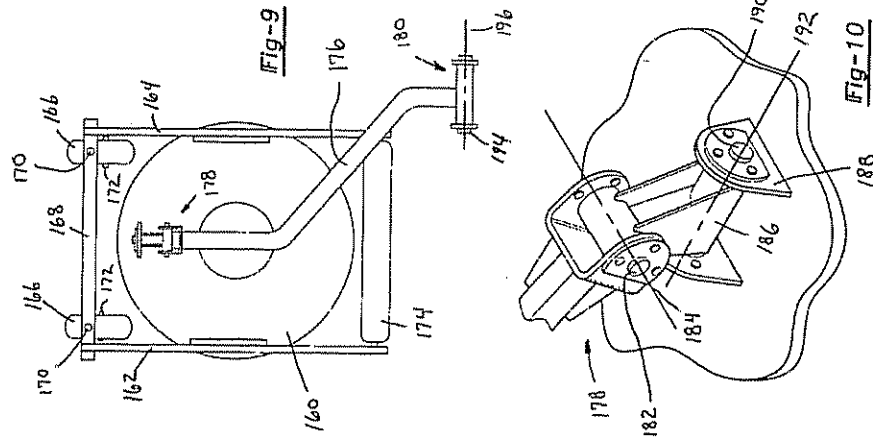
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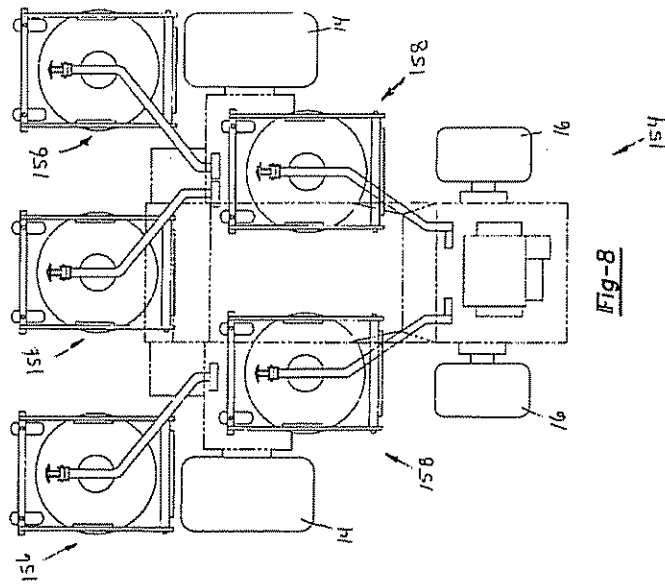
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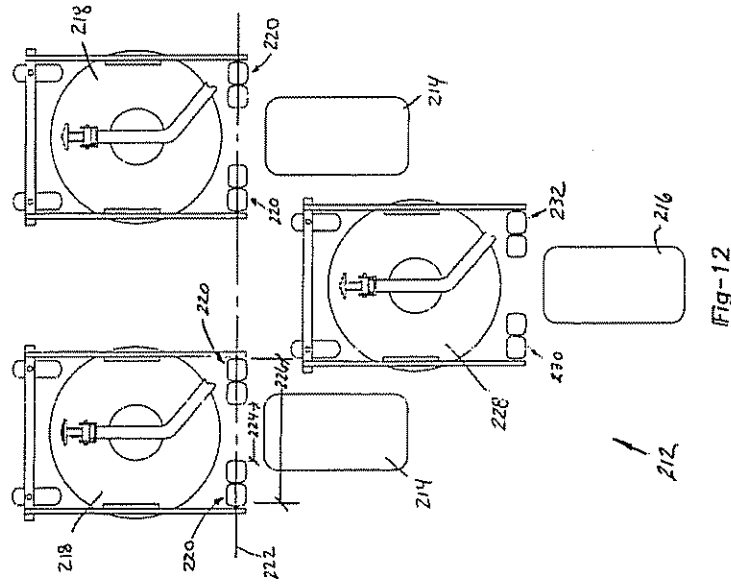
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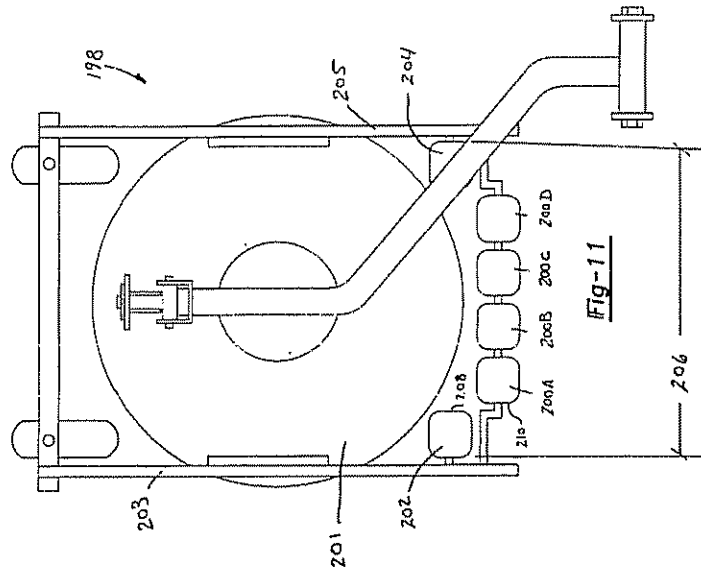
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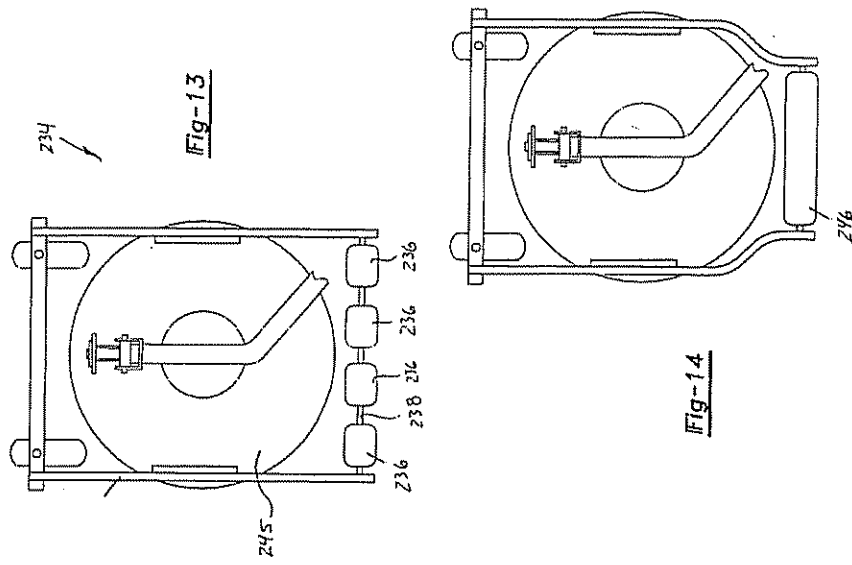
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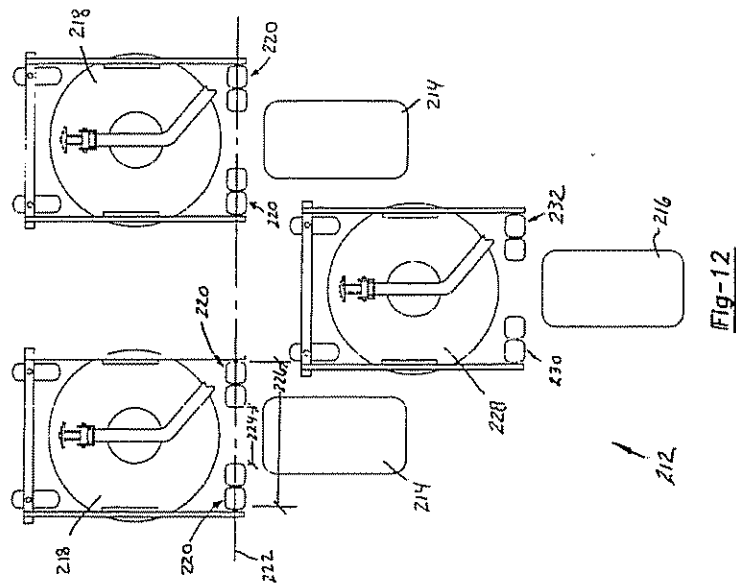
02613697, FIG. 12



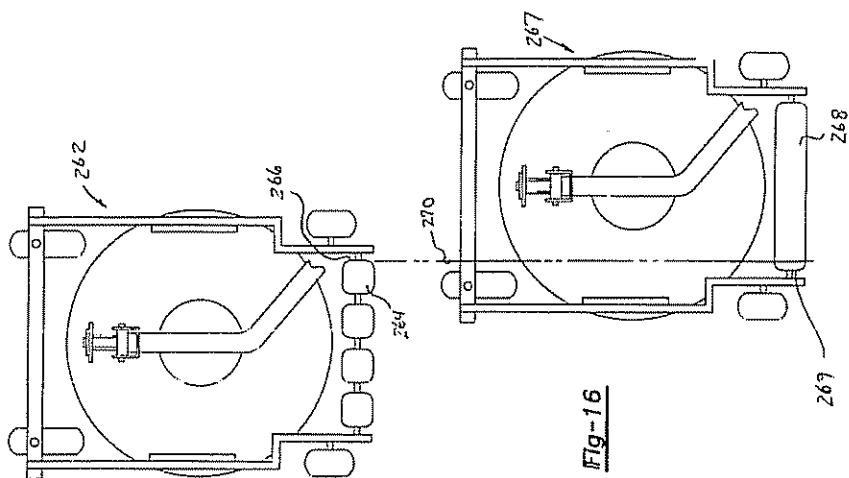
02613697, FIG. 11



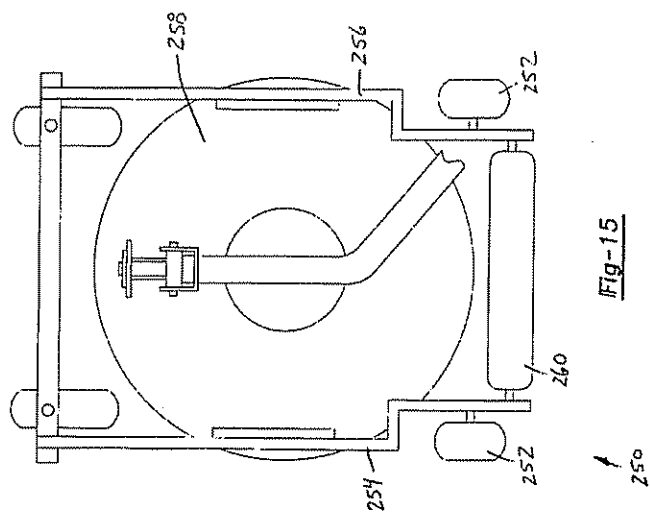
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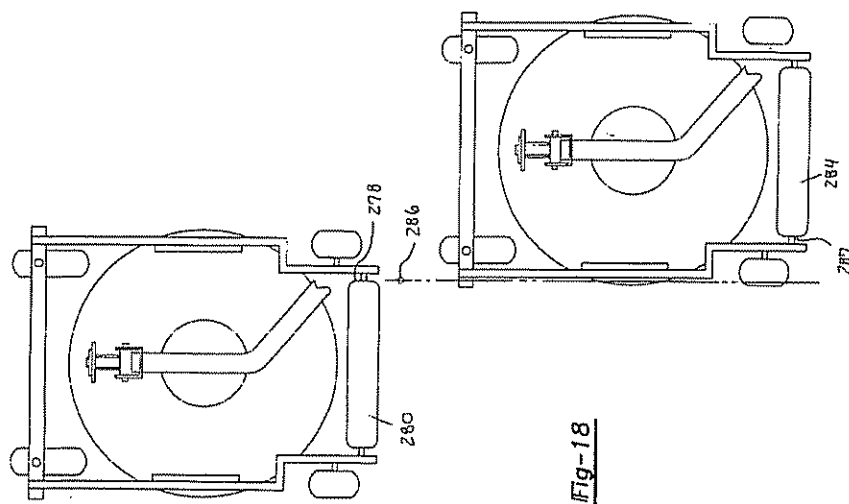
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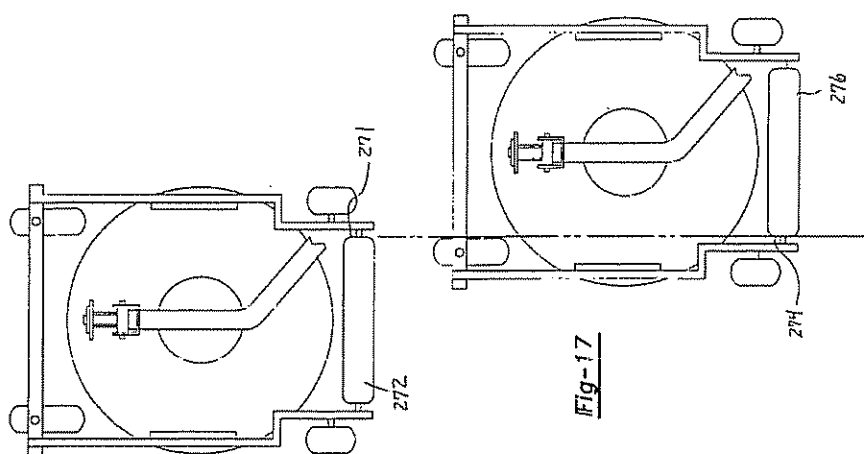
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00643697, 082200



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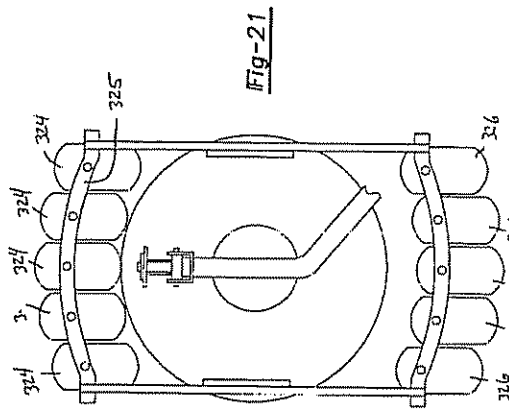


Fig-21

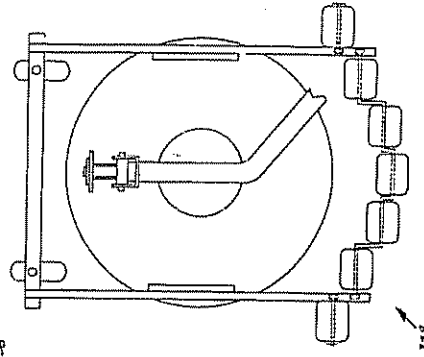


Fig-22

09543597 .082200

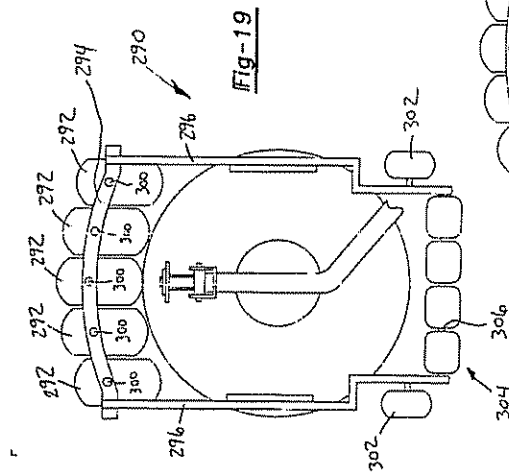


Fig-19

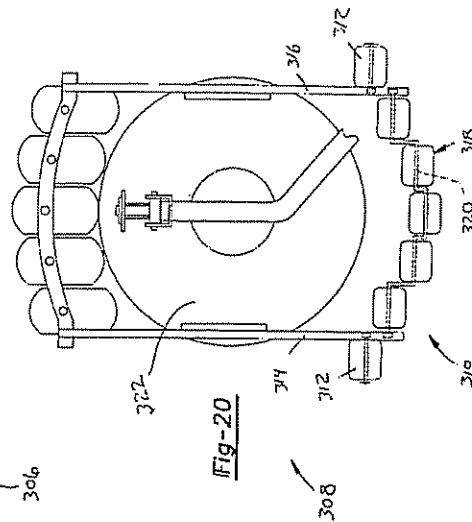


Fig-20

09543597 .082200

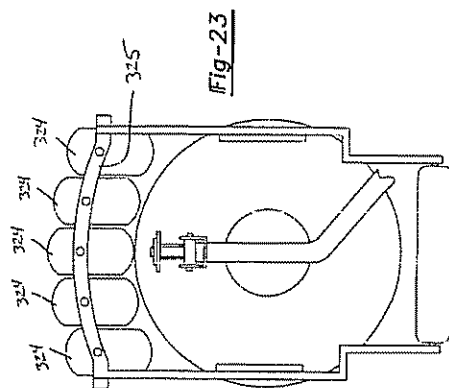
[illegible]

Fig-23

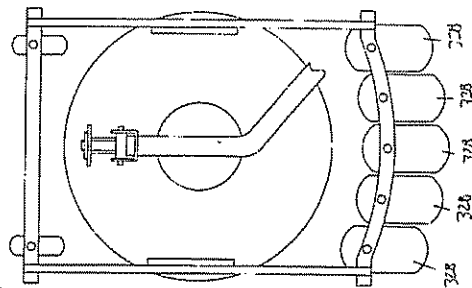


Fig-24

| SEARCHED |       |         |       | SEARCH NOTES<br>(INCLUDING SEARCH STRATEGY) |      |       |  |
|----------|-------|---------|-------|---|------|-------|--|
| Class    | Sub.  | Date    | Exmr. |   | Date | Exmr. |  |
| 576      | C     | 7/14/01 |       |   |      |       |  |
|          | 7     |         |       |   |      |       |  |
|          | 13.6  |         |       |   |      |       |  |
|          | 17.7  |         |       |   |      |       |  |
|          | 13.8  |         |       |   |      |       |  |
|          | 255   |         |       |   |      |       |  |
|          | 255   |         |       |   |      |       |  |
|          | 19.3  |         |       |   |      |       |  |
|          | 19.9  |         |       |   |      |       |  |
|          | 19.14 |         |       |   |      |       |  |

(RIGHT OUTSIDE)

| PATENT APPLICATION FEE DETERMINATION RECORD<br>Effective December 29, 1989 |                                  |                            |               | Application or DocId Number |      |      |        |
|--|----------------------------------|----------------------------|---------------|-----------------------------|------|------|--------|
| CLAIMS AS FILED - PART I   |                                  |                            |               | OTHER THAN SMALL ENTITY     |      |      |        |
| FOR  | NUMBER FILED                     | NUMBER EXTRA               | TYPE          | RATE                        | FEES | RATE | FEES   |
| BASIC FEE  |                                  |                            |               | 345.00                      |      |      | 600.00 |
| TOTAL CLAIMS   | 27                               | 7                          |               |                             |      |      | 126    |
| INDEPENDENT CLAIMS   | 3                                |                            |               |                             |      |      |        |
| MULTIPLE DEPENDENT CLAIMS PRESENT  |                                  |                            |               |                             |      |      |        |
| TOTAL  |                                  |                            |               |                             |      |      | 876    |
| CLAIMS AS AMENDED - PART II  |                                  |                            |               | OTHER THAN SMALL ENTITY     |      |      |        |
| AMENDMENT A  | NUMBER REMAINING AFTER AMENDMENT | NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE                        | FEES | RATE | FEES   |
| Total  |                                  |                            |               |                             |      |      |        |
| Independent  |                                  |                            |               |                             |      |      |        |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM                             |                                  |                            |               |                             |      |      |        |
| AMENDMENT B  |                                  |                            |               | OTHER THAN SMALL ENTITY     |      |      |        |
| AMENDMENT B  | NUMBER REMAINING AFTER AMENDMENT | NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE                        | FEES | RATE | FEES   |
| Total  |                                  |                            |               |                             |      |      |        |
| Independent  |                                  |                            |               |                             |      |      |        |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM                             |                                  |                            |               |                             |      |      |        |
| AMENDMENT C  |                                  |                            |               | OTHER THAN SMALL ENTITY     |      |      |        |
| AMENDMENT C  | NUMBER REMAINING AFTER AMENDMENT | NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE                        | FEES | RATE | FEES   |
| Total  |                                  |                            |               |                             |      |      |        |
| Independent  |                                  |                            |               |                             |      |      |        |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM                             |                                  |                            |               |                             |      |      |        |

\* If the difference in column 1 is less than zero, enter "0" in column 2.

\* If the entry in column 1 is less than the entry in column 2, enter "0" in column 3.

\* If the "Highest Number Previously Paid For" in THIS SPACE is less than 2, enter "2".

\* If the "Highest Number Previously Paid For" in THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number based in column 1.

UNITED STATES PATENT AND TRADEMARK OFFICE, U.S. DEPARTMENT OF COMMERCE

| POSITION                  | INITIALS | ID NO. | DATE     |
|---------------------------|----------|--------|----------|
| FEE DETERMINATION         | AW       | 28906  | 8/30/68  |
| O.P.E. CLASSIFIER         |          |        |          |
| FORMALITY REVIEW          |          |        |          |
| RESPONSE FORMALITY REVIEW |          | 71476  | 10/11/68 |
|                           |          | 71476  | 10/11/68 |

| INDEX OF CLAIMS |                  |
|-----------------|------------------|
| ✓               | Rejected         |
| ✓               | Allowed          |
| ✓               | (Through normal) |
| ✓               | Canceled         |
| ✓               | Reinstated       |
| ✓               | H                |
| ✓               | I                |
| ✓               | A                |
| ✓               | O                |

| Chart | Date |
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| 47    | 47   |
| 48    | 48   |
| 49    | 49   |
| 50    | 50   |

**If more than 150 claims or 10 actions  
attach additional sheet here**

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PATENT APPLICATION

JAN 9 1987

03643697

03643697

JAN 9 1987 U.S. PTO.

03643697

STAVIN  
21302

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| Date Received<br>or<br>(incl. C. of M.) |                          | Date Mailed |       |
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| 3.                                      | <i>Rec'd Del Fee</i>     | 44.         | _____ |
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